

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Tybetha Will Prosper, as Trustee for the
next of kin of Naajikhan Adonis Powell,
Deceased,

Plaintiff,

Case No. 21-cv-00627 (SRN/TNL)

vs.

Inny Angrimson, in her individual capacity,
Kilhlah Leuzzo, in her individual capacity,
Erin Cottom, in her individual capacity,
Scott Johnson, in his individual capacity,
Anthony Hamling, in his individual capacity,
Hennepin Healthcare System, Inc., and
County of Hennepin, Minnesota,

Defendants.

**Order for Distribution of
Wrongful Death Proceeds**

Petitioner Tybetha Will Prosper filed this action as trustee for the next of kin of her son, Naajikhan Adonis Powell. Petitioner now petitions for approval of distribution of the wrongful death proceeds. Additionally, Petitioner and Hennepin County filed a stipulation that the Court may enter an order approving their settlement, the terms of which are set forth in the Petition.

Under Rule 144.05 of Minnesota's General Rules of Practice, a trustee must submit to the court a verified petition seeking distribution of money recovered in a wrongful death case. Minn. Gen. R. Prac. 144.05. The court may then approve, modify, or disapprove the petition. *Id.*

This matter came on for hearing before the Honorable Susan Richard Nelson on December 6, 2022 at 9:30 a.m. Having considered the Petition and the documents filed in support of the Petition, any objections thereto, and arguments of counsel, the Court HEREBY ORDERS AS FOLLOWS:

1. Based on the stipulation of Petitioner and Hennepin County, the Court approves the settlement between these parties. In doing so, this Court acts in the stead of the state district court referenced in Section 468.08;

2. The Petition for Distribution of Wrongful Death Proceeds (ECF No. 55) is APPROVED;

3. An award of attorneys' fees and costs in the amount of \$233,000.00 shall be made to Conard Nelson Schaffer;

4. An award of attorneys' fees and costs in the amount of \$249,583.20 shall be made to Newmark Storms Dworak;

5. An award of \$13,084.24 to Ucare (through Optum) shall be made to satisfy a lien for medical expenses;

6. Tybetha Prosper shall receive a distribution in the amount of \$369,332.56;

7. Elias Eugene Turner shall receive a distribution in the amount of \$100,000.00 (to be put into a structured settlement in a structure to be determined);

8. A [REDACTED] T [REDACTED] shall receive a distribution in the amount of \$100,000.00 (to be put into a structured settlement in a structure to be determined);

9. George Golondrina Malibiran shall receive a distribution in the amount of \$35,000.00;

10. Teresita Malibiran shall receive a distribution in the amount of \$7,5000.00;
11. Tondaleyo Duff shall receive a distribution in the amount of \$7,500.00;
12. Tamiya Clark shall receive a distribution in the amount of \$15,000.00;
13. C [REDACTED] G [REDACTED] shall receive a distribution in the amount of \$10,000.00 (to be placed in a certificate of deposit until he reaches the age of 18 on [REDACTED] [REDACTED]);
14. D [REDACTED] M [REDACTED] shall receive a distribution in the amount of \$10,000.00 (to be placed in a certificate of deposit until he reaches the age of 18 on [REDACTED] [REDACTED]);
15. No further distributions shall be made; and
16. Petitioner shall submit a supplemental petition on the structured settlements setting forth the specific structures of Elias and A [REDACTED] T [REDACTED]'s distributions after the Court approves the amounts, such supplemental petition to be heard on the papers only.

Dated _____, 2022

Susan Richard Nelson
United States District Judge